

4520

1 BILL NO. Z-79-07- 09

2 ZONING MAP ORDINANCE NO. Z-21-79

3 AN ORDINANCE amending the City of  
4 Fort Wayne Zoning Map No. K-10.

5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,  
6 INDIANA:

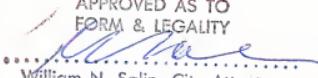
7 SECTION 1. That the area described as follows is hereby designated  
8 a B3B District under the terms of Chapter 33, Municipal Code of the City of  
9 Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning  
10 Map No. K-10, referred to therein, established by Section 33-11, of said  
11 Chapter are hereby changed accordingly, to wit:

12 Lots 76, 77 & 78 Archer's Addition to the City of Fort  
13 Wayne, Indiana.

14 SECTION 2. That this Ordinance shall be in full force and effect  
15 from and after its passage, approval by the Mayor and legal publication  
16 thereof.

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19 Councilman  
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32 APPROVED AS TO  
FORM & LEGALITY

  
William N. Salin, City Attorney

Read the first time in full and on motion by Nuckles, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, at \_\_\_\_\_ o'clock M., E.S.T.  
DATE: 7-10-79

Charles W. Westerman

CITY CLERK

Read the third time in full and on motion by Nuckles, seconded by Stier, and duly adopted, placed on its passage.

PASSED (LUS) by the following vote:

|             | AYES     | NAYS     | ABSTAINED | ABSENT   | TO-HIT: |
|-------------|----------|----------|-----------|----------|---------|
| TOTAL VOTES | <u>8</u> | <u>0</u> | _____     | <u>1</u> | _____   |
| BURNS       | <u>X</u> | _____    | _____     | _____    | _____   |
| HINGA       | _____    | _____    | _____     | <u>X</u> | _____   |
| HUNTER      | <u>X</u> | _____    | _____     | _____    | _____   |
| HOSES       | <u>X</u> | _____    | _____     | _____    | _____   |
| MUCKOLS     | <u>X</u> | _____    | _____     | _____    | _____   |
| SCHMIDT, D. | <u>X</u> | _____    | _____     | _____    | _____   |
| SCHMIDT, V. | <u>X</u> | _____    | _____     | _____    | _____   |
| STIER       | <u>X</u> | _____    | _____     | _____    | _____   |
| TALARICO    | <u>X</u> | _____    | _____     | _____    | _____   |

DATE: 8-11-79

Charles W. Westerman

CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as  
(ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) Ordinance  
(RESOLUTION) No. 321-79 on the 11th day of September, 1979.  
ATTEST: (SEAL)

Charles W. Westerman  
CITY CLERK

Winfield C. Mayo Jr.  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman  
CITY CLERK

Approved and signed by me this 13th day of September, 1979  
at the hour of 3 o'clock P. M., E.S.T.

Robert E. Armstrong  
MAYOR

Bill No. Z-79-07-09

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance  
amending the City of Fort Wayne Zoning Map No. K-10

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance do PASS.

JOHN NUCKOLS - CHAIRMAN

SAMUEL J. TALARICO - VICE CHAIRMAN

VIVIAN G. SCHMIDT

JAMES S. STIER

WILLIAM T. HINGA

*John Nuckols*  
*Samuel J. Talarico*  
*Vivian G. Schmidt*  
*James S. Stier*  
*William T. Hinga*

9-11-79 CONCURRED IN  
DATE CHARLES W. WESTERMAN, CITY CLERK

**RECEIPT**Date JUNE 15 1979 No. 10797Received From Jim Casey AutoAddress 1601 St. Mary's Ave.Fifty + No Dollars, \$ 50.00For Balance from B1B to B3BUsed Car Lot

| ACCOUNT            |       | HOW PAID       |       |                     |
|--------------------|-------|----------------|-------|---------------------|
| AMT. OF<br>ACCOUNT | 50.00 | CASH           |       |                     |
| AMT. PAID          | 50.00 | CHECK          | ✓6902 |                     |
| BALANCE<br>DUE     |       | MONEY<br>ORDER |       | By <u>S. Barnes</u> |

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 10, 1979, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-79-07-09; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 20, 1979;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 27, 1979.

Certified and signed this  
31st day of August 1979.

*Thomas G. Adams*

Thomas G. Adams  
Secretary

## ZONING CHANGE FROM B<sub>1</sub>B TO B<sub>3</sub>B

CASE NO.

MAP NO. K-10

6-15-79

Z-79-07-09

Date Filed \_\_\_\_\_

Intended Use residential

I/We JAMES F. CAREY and WAYNE D. MADDEN

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an B 1 B District to a/an B 3 B District the property described as follows:

Lots 76, 77 & 78 Archer's Addition to the City of Fort Wayne, Indiana.

(Legal Description) If additional space is needed, use reverse side.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

JAMES F. CAREY

1601 St. Mary's Avenue

*James F. Carey*  
*Wayne D. Madden*

WAYNE D. MADDEN

1529 St. Mary's Avenue

Fort Wayne, Indiana 46808

(Name)

(If additional space is needed, use reverse side)

(Address & Zip Code)

(Signature)

Legal Description checked by \_\_\_\_\_

NOTE FOLLOWING RULES

All requests for continuances or requests that ordinances be taken under advisement shall be filed, in writing, in the office of Community Development and Planning, by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for the meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance. (FILING FEE: \$50.00)

Name and address of the preparer, attorney or agent.

ROBERT W. HALLER, 2000 Fort Wayne Bank Building, Fort Wayne, IN. 424-2000  
(Name) (Address & Zip code) (Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning and Zoning (CITY PLAN COMMISSION) / Room # 830, City-County Building, One Main Street / Fort Wayne, Indiana 46802 (Phone: 423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoning

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Owners of Property

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(Name)

(Address & Zip Code)

(Signature)



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WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 20, 1979;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

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Certified and signed this  
31st day of August 1979.

*Thomas G. Adams*

Thomas G. Adams  
Secretary

## ZONING CHANGE FROM B<sub>1</sub>B TO B<sub>3</sub>B

CASE NO.

MAP NO K-10

6-15-79

Z-79-07-09



## THE CITY OF FORT WAYNE

September 10, 1979

Mrs. Vivian Schmidt  
City Councilwoman  
City-County Building  
Fort Wayne, Indiana 46802

Re: Allen Associates Three, a Limited Partnership  
Economic Development Commission Revenue Bonds

Dear Mrs. Schmidt:

On September 7, 1979, the Economic Development Commission passed an inducement resolution for Allen Associates Three, authorizing a \$900,000 bond issue.

I am enclosing for the Common Council's consideration, a proposed inducement resolution, a copy of the inducement resolution passed by the EDC and a copy of the Report approved by the EDC.

If the Common Council has any questions concerning this issue, please feel free to contact me at 743-0171.

Respectfully submitted,

Wayne P. Simerman

Enclosures



RESOLUTION OF FORT WAYNE  
ECONOMIC DEVELOPMENT COMMISSION

WHEREAS, the City of Fort Wayne, Indiana, (the "Issuer") is authorized by I.C. 18-6-4.5 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction and equipping of said facilities, and said facilities to be either sold or leased to another person or directly owned by another person; and

WHEREAS, Allen Associates Three, a Limited Partnership (the "Applicant") has advised the Fort Wayne Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, construct and equip economic development facilities and sell or lease the same to the Applicant or loan proceeds of an economic development financing to the Applicant for the same, said economic development facilities to be located at 1502 Magnavox Way, Fort Wayne, Indiana. This location is in Commerce Square Park which is at State Road 14 (Illinois Road) and I-69. The approximate size of the tract or parcel on which the project is to be situated is 1.67 acres.

WHEREAS, the diversification of industry and increase in job opportunities (<sup>35-</sup> 40 new jobs) to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition and construction of the facilities will not have an adverse competitive effect on any similar facility already constructed or operating in Fort Wayne, Indiana.

NOW, THEREFORE, BE IT RESOLVED by the Fort Wayne Economic Development Commission:

1. It finds and determines that the promotion of diversification of economic development and job opportunities in and near

Fort Wayne, Indiana, is desirable to preserve the health, safety and general welfare of the citizens of the Issuer, and that it is in the public interest that this Commission and the Issuer take such action as it lawfully may to encourage diversification of economic development and promotion of job opportunities in and near said Issuer.

2. It further finds and determines that the issuance and sale of revenue bonds in an amount not to exceed \$900,000 of the Issuer under the Act for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant will serve the public purposes referred to above, in accordance with the Act.

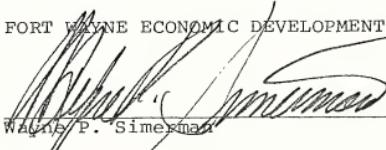
3. In order to induce the Applicant to proceed with the acquisition, construction and equipping of the Project, this Commission hereby determines that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

4. All costs of the Project incurred after the inducement resolution of the Issuer, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell or lease the same to the Applicant or loan the

proceeds of the revenue bonds to the Applicant for the Project.

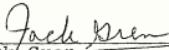
Adopted this 7 day of September, 1979.

FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION

  
\_\_\_\_\_  
Wallace P. Simmerman

  
\_\_\_\_\_  
John L. Nowlan

Quentin D. Ponder

  
\_\_\_\_\_  
Jack Gren

  
\_\_\_\_\_  
Louis R. Dinwiddie

REPORT OF FORT WAYNE ECONOMIC  
DEVELOPMENT COMMISSION REGARDING  
FACILITIES TO BE CONSTRUCTED FOR  
ALLEN ASSOCIATES THREE, A LIMITED PARTNERSHIP

Having been furnished certain data by Allen Associates Three, a Limited Partnership, and having had discussions with representatives of said Company, the Fort Wayne Development Commission now submits the following report pursuant to Section 16, Public Law No. 182, Indiana Acts of 1973:

Description of Proposed Facilities

The proposed facilities are to be used for an office building located at 1502 Magnavox Way in Fort Wayne, Indiana, on approximately 1.67 acres.

Estimate of Public Services Required

All public services which are required now exist in the vicinity of the property. Water and sanitary sewage facilities are located in that area. Water and sanitary sewage service will be available upon paying the required connection charges.

Total Project Cost

The project costs are estimated to be \$900,000. This is based on the following: Building, site improvements and other construction related costs - \$900,000.

Number of Jobs and Estimated Payroll

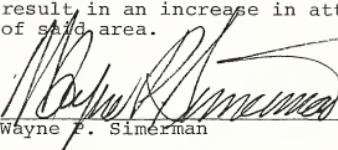
At the present time, it is estimated that the facilities will result in additional payrolls of approximately \$700,000. The construction payroll for this project will be about \$450,000.

Effect on Pollution

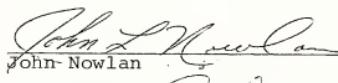
The new facilities are expected to be a non-polluting operation. It is not expected to have any industrial waste of any significance. It is expected that at the proposed facilities, the Company will be able to meet all present and anticipated future requirements of the Occupational Health and Safety Administration.

Additional School Facilities Required

The proposed facilities are within the area served by the Fort Wayne Community Schools. The move to the proposed facilities might result in an increase in attendance at schools in the central portion of said area.

  
Wayne P. Simerman

Quentin D. Ponder

  
John L. Nowlan

Louis R. Dinwiddie

  
Jack Green